IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3350 OF 2006

Smt. Lilabai Hanumanprasad
Halwai .. Petitioner

Vs.

Maharashtra Housing Development
Mandal, Mumbai and ors. .. Respondents

Mr. P.J. Pawar for petitioner.

CORAM: B.H. MARLAPALLE, J.

Date : July 10, 2006.

P.C.:

1. Heard Mr. Pawar the learned counsel for the petitioner. By the impugned order dated 25/1/2006 the learned Vth Additional Small Causes Judge was pleased to reject the application filed below Exh.74 in Special Civil Suit No.22 of 2000.

2. By the said application the plaintiff prayed for forwarding two documents (both being Wills) to the Hand Writing Expert for fresh opinion. The learned Judge of the trial court noted that the very same documents were referred to the Hand Writing Expert as

per Exh.45 pursuant to the order dated 13/6/2003 and the Hand Writing Expert's opinion was received at Exh.59. Having the documents referred to the Hand Writing expert once, second request for the same could not be entertained.

3. There are no reasons made out to cause interference in the impugned interlocutory order dated 25/1/2006 and hence the petition is rejected summarily.

(B.H. Marlapalle,J.)